

367.626 Advance payments prohibited during cancellation period -- Return of payments or notes of indebtedness -- Contractor's right to collect reasonable amount for services performed -- Unenforceable contract provisions.

- (1) Except as provided in subsection (3) of this section, on or after July 12, 2012, a roofing contractor shall not require any advance payments under a contract for the repair or replacement of any part of a roof system of residential real estate when payment is expected to be made from the proceeds of a property or casualty insurance policy until the cancellation period, as provided in KRS 367.622, has expired.
- (2) Within ten (10) days after a contract has been cancelled as provided in KRS 367.622, a roofing contractor shall tender to the payor any payments, partial payments, or deposits made, and any note or other evidence of indebtedness, except as provided in subsection (3) of this section.
- (3) A roofing contractor that performs any repair services authorized by the owner of residential real estate, including but not limited to repair services necessary to prevent further damage to the premises, shall be entitled to collect a reasonable and customary amount for the repair services performed.
- (4) Any provision in a contract executed on or after July 12, 2012, for the repair of a roof system of residential real estate, as provided in KRS 367.620 to 367.628, that requires the payment of any fee, except for repair services performed under subsection (3) of this section, shall not be enforceable against any person who has cancelled a contract under KRS 367.622.

Effective: July 12, 2012

History: Created 2012 Ky. Acts ch. 97, sec. 4, effective July 12, 2012.